

## CRIME PREVENTION AND REALITIES

by

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The following subjects are considered in this paper:

1. the necessity,
  2. material possibilities,
  3. non-material possibilities,
  4. legal regulation and
  - 5 classification into the appropriate category
- of crime prevention.

### 1. The Necessity of Prevention

Today crime prevention is a concept that is extremely widespread. The view that crime prevention is the most important means of combating crime is coming very much into the picture in studies as well as in debates on crime. But even journals and magazines that have nothing to do with the issue, the daily papers as well as the means of mass media tend to use the notion of crime prevention and the related phrases ever more frequently. Moreover, "Kék fény" or Blue Light in English, a popular monthly programme on Hungarian Television on crime and crime fighting with the inclusion of the viewers and the public at large has also changed its tone and attitude: instead of the previous rather harsh approach, the programme is now adopting a tone and formulation displaying more understanding (but not one of approval!) of the perpetrator and the offence he/she has committed, and posing a demand for measures designed to prevent crime.

The most significant development in this context, however, is the first draft of new provisions of the law, a document that has been drawn up by the Hungarian Ministry of Justice and contains the importance, fundamental principles, means and organizational framework of crime prevention.

It is, therefore, quite obvious that many people pose the questions: what is lying behind this rapid change in the approach, what is the reason for crime prevention working its way so strikingly into the focus of attention? The direct answer to the questions lies first and foremost in the sub-

stantial increase in crime. In connection with this, however, it must be repeatedly underlined that *the idea of crime prevention and the demand for its implementation had arisen in both science and legislation long before the rising trend in crime was identified.*

In *Hungarian criminal sciences* the concept of criminal human behaviour being influenced through the personality by the objective conditions, first and foremostly the prevailing codial circumstances became quite general way back in the 1960's and 1970's. If this is true, then measures designed to prevent crime must be the most effective means of combating crime. This truth, came to be generally recognized in a few years following a very sharp increase in crime figures which came in the wake of the unfavourable changes that took place in social condititons and as a consequence of the proliferation of social injustices, tensions and contradictions. At the same time it also became quite obvious that *in spite of being supported by multiple decriminalization, the administration of penal justice is incapable of providing for a decrease of at least stagnation of crime, retaining public security which is basically favourable in the face of criminogen factors growing ever stronger and multiplying under the prevailing social conditions.* Obviously, social changes should not be considered as negative ones out of necessity because they bring about an increase in crime. They are not to be regarded negative from an objective viewpoint if the point at issue is a transition lasting for a couple of years only, or from a subjective aspect if someone takes the position that any increase or decrease in crime is independent of the development of society, a view which is wrong in my opinion.

In its Directives issued for its 13th Congress the Central Committee of the Hungarian Socialist Workers' Party states that "phenomena running counter to the law and violating moral norms are now on the increase; they include the loosening of discipline, irresponsible approach, negligent handling of public property, making profit against the law and an attitude that is too lenient towards these phenomena."

By relying on the support of public opinion the party, state and social organs should take definite and firm action in order to curb these negative phenomena, prevent criminal offences and to achieve that the law is abided by. It is particularly important to safeguard the purity of public life and to wage consistent struggle against the abuse of power, personal ties maintained to promote each other's ends, string pulling and corruption and against all of their manifestations."<sup>1</sup>

In my opinion the development of crime and other types of deviant behaviours can be essential characteristics of a society, especially if they are examined in the long run (over a period of 20 to 30 years). The position taken by Soviet criminologists is much the same: "An increase in the breaches of the law and lasting deterioration of the quality of their structures offer evidence to the effect that there are unfavourable processes taking place in the organization of society".<sup>2</sup>

If we take a look back on the development made by our socialist society we can see that in the postwar years, and, particular, in the initial



stages of the major transformation when the conditions were in a disarray and desperate struggle was being waged between the new and the old both openly and in a concealed fashion, crime assumed unprecedented dimensions and the tendency began to decrease only after the social order had been stabilized and excesses were eventually brought to an end.

Although there has been no change in our policy of building socialism, we have been involved in the substantial transformation of our society over the past fifteen years or so. In this connection the question arises whether the increase in crime is only a provisional element accompanying social transformation or it is bound to go hand in hand invariably with the new social conditions that are in the make.

According to our knowledge accumulated so far, increase in crime in the long run is incompatible with the idea of socialism. The classics of Marxism linked the concept of the socialist social order with the idea of such a social order in which, apart from some brief spells of transition, social injustices are reduced or make their appearance at a low level.

In the studies, documents and the like relating to crime prevention the common demand is voiced that concerning the social means of crime prevention

a) family education must be made more effective and families with many children must be given increased support,

b) the educational standards of the primary schools must be raised,

c) greater attention should be paid to the lot of children exposed to danger,

d) more attention should be devoted to creating favourable opportunities for people in general, but especially for young people to spend their leisure time usefully, to participate in organized entertainment programmes and to go in for some sport.

e) social injustices prevailing in the wages, at work and in the social benefits must be reduced as much as possible,

f) socialist awareness, collective spirit and the awareness of responsibility should be developed,

g) the struggle for better labour discipline should be intensified,

h) increased struggle should be waged for reducing corruption,

i) every effort should be made to prevent further increase in the number of people at a social disadvantage.

The measures voiced and to be taken to prevent crime could make up a long list, but it is obvious from the ones presented above that they are actually measures the overwhelming majority of which have material implications.

## 2. Material Possibilities of Prevention

Under the present difficult economic conditions in which prices continue to rise considerably, real wages decrease and production is at a comparatively low level, the efforts designed to prevent crime are bound to pose the question whether or not material investments can be intensified at all particularly in spheres from which it is expected to contribute to crime prevention. There are people maintaining that it is practically impossible, or they even suggest that the state of affairs is more likely to deteriorate. Others, however, including myself, are of the opinion that *following a certain regrouping of the national income an amount of money can be set aside to be spent on social projects that can serve the ends of crime prevention quite favourably.* (There are examples to this effect already.)

However, no major progress can be made in this field even if a system of more just distribution has been introduced, because we can only distribute in a more just manner what we have already produced. If we make a judgement of the words uttered and statements made by Hungarian economists and politicians, it would be unreasonable to expect any major improvement regarding the nation's economic conditions in the not too distant future.

It follows then that criminogen factors associated with the social situation and the economic circumstances will continue to prevail rendering further increase in crime probable. We must be fully aware of the fact that we cannot satisfy our day-to-day needs by drawing infinite supplies from the horn of plenty according to our own liking, but by waging a hard struggle for our subsistence, or for a better subsistence or by adopting the method of fiddle and cunning, and very often the extent to which the demands are met is very limited.

All this could be accepted with a sober mind since there are also necessary limits set to the pace of social development. In other words, *it is impossible to create conditions resembling those in the Garden of Eden overnight, or in a decade or two in a backward country what Hungary was. Considering the conditions it is a fact of historic importance that in a matter of ten or twenty years the country which used to be described as the land of three million beggars rose to a level at which the citizens lead a life worthy of man.* The core of the problem is that the rate of economic growth has come to a standstill, or worse than that, compared to the leading market economy countries the gap between them and Hungary is widening. Under the present conditions the bright prospects which were outlined in the years that followed the Second World War practically dimmed if we think of a statement made by Lenin in his work bearing the title "The Great Initiative" and which is most certainly true.

He said, that in the final resort it is the productivity of labour that is vital and the most important from the point of view of the victory of the new social system. He added that capitalism established such standards of the productivity of labour which had been unknown in feudal society. Socialism can only defeat and will score eventual victory over capitalism if it can achieve a new and much higher level of productivity.<sup>3</sup>



Thus we cannot afford to be misled by day-dreaming in respect of our social development; we cannot ignore reality, nor can we ignore the expected development of crime. Therefore, we have to make a realistic approach towards the possibility of crime prevention. Regarding the prospects of Hungary's economy.<sup>4</sup>

### 3. Non-Material Possibilities of Prevention

The means of prevention associated with material costs and investments constitute only one group of crime prevention. Even if one is poor and one's needs are satisfied only to a limited extent, one can lead an honest life. A person living under such conditions may well pay due respect to the material wealth, corporal integrity and personality of others. There are and will be examples to this effect in sufficient number.

To this end, however, several factors are indispensable at the present standards of our social development. *They include just distribution based upon bread democracy, purposiveness of a definite level and last but not least calling to account which is enforced consistently.*

Let me discuss the latter point first. So far as calling to criminal account is concerned it is a burning social issue today. The idea that in calling to criminal account not the strictness of the sanction but the fact that calling to account is unavoidable has the decisive role to play in preventing crime has been reiterated so many times that part of the meaning is almost lost. By contrast, let me mention that almost half of the criminal offences that have become known are left to be detected, meaning that there is a high probability of calling to criminal account being dropped altogether. Calling to criminal account is either scarcely used, or if adopted, it is not sufficiently firm is characteristic not only of criminal offences but also of other types of negative behaviours. For example, it is unwise to make people feel uncomfortable ever so often because of the unprecedented frequency of price rises which, in turn, weakens their belief in the socialist system, for incompetence and irresponsibility cause considerable damage to the country. (In this respect examples can be listed in large numbers)

I do not want to assert that the strengthening of the system of calling to criminal account does not have material implications (for any increase in the number of the police staff or in the means at their disposal is a costly business), but in my opinion, they do not constitute an unbearable burden even under the adverse economic conditions of today and the additional expenses can be recovered as a result of a decrease in the damage caused by crime. Consolidation of discipline is primarily a matter of organization and setting an example.

I only want to refer to the question that whenever the issue of responsibility is considered in literature on law, what the authors have in mind is, as a rule, calling to account linked with some sort of sanction. *The interpretation of responsibility which recognizes and demands that positive responsibility, that is, activity carried on with full responsibility be recognized, moreover, it should be recognized to an increasing extent is something that began to spread quite recently.*<sup>5</sup>

In addition to responsibility to be borne by the person who has committed a criminal offence, the responsibility of the circumstances, the family, group of friends, colleagues or fellow-workers, leaders must also be established and they must also be called to account under the new interpretation of the concept of responsibility. It means taking measures in an effort to prevent similar events from occurring in the future. The latter is termed "the indirect way of calling to account" and as such it does not necessarily mean calling to criminal account penal law. (Expansion and the new interpretation of signalization.)

While listening to people discussing the related problems, you can often hear the argument that like in the leading industrialized countries the rise in crime figures is attributable to the "abundance of goods" to the more favourable situation prevailing in Hungary than in the other socialist countries in several respects". In my opinion, the view discussed above is much more of a means of compounding with one's own conscience than of portraying the actual implications. We do not have to go far to be able to find an opposite example. In Austria, for instance, one of Hungary's neighbouring countries in which the economy is a capitalist one and it is market oriented there has been no increase in crime figures recently.<sup>6</sup>

Or if we go far to the east to take Japan as an example, one of the leading countries of the capitalist world, until quite recently crime revealed marked decrease in the country for over two decades.<sup>7</sup>

I know only too well that the highly disciplined way of life which is characteristic of Japan is not attractive for Hungary, but it has been proved by several evidence that the too loose a way of life adopted in this country is no adequate path either for the Hungarians to tread along.

Quite the contrary: owing to the low of productivity, it is liable to bring about conflicts. It is my firm conviction that a more disciplined way of life could help us make progress and it would also contribute to a decrease in crime.

A more just system of distribution is another major group of the means of crime prevention not founded upon material means. In theory, it is generally accepted that distribution according to the quality and quantity of the work performed is a just principle. Although this principle contains certain types of injustice stemming from the fact that people's needs are not adjusted to their ability to work, nevertheless it is more just than any other principle to govern distribution as a basic concept at the present level of development. However, we grossly violate it because wages and salaries, or incomes in general, are not differentiated according to the level of training, higher level of knowledge or better performance in several fields. Generally differentiation is made according to the position held and it is very often completely independent of the quality of the work done. Accordingly, *most of the social injustices can be identified today in the field of incomes, wages and salaries*. It is true that attempts are being made to improve the situation, but it is also true that it is no easy job at all since a practice extending to several years has to be changed. Besides, the demands of productivity must be brought into harmony with the system and extent



of social assistance, and it cannot be permitted that we should be left to learn the value of the work have performed from the incalculable changes in the market in every case. It is quite difficult to establish a management and decision system, a political mechanism which can ensure very broad democracy.<sup>8</sup>

It follows that the social injustices revealed in this field will not be eliminated overnight. As a result, no rapid and favourable changes can be expected from these factors of crime prevention either.

*The loss of ideological and political prospects and increasing uncertainty* are very serious criminogen factors in the present phase of our social development. It can frequently be heard or read that we have landed in a "value crisis". Magnificent values of old fade away, values that have been believed to be outdated assume fresh brightness and new values arise. Quite a few people do not simply know what the real values are and in seeking values they do not have an appropriate compass on hand to guide them. In this atmosphere of increasing uncertainty social interest necessarily lose much of their importance, while individual interests and their enforcement to the greatest possible extent come very much into the picture. Pursuing individual interests may well lead to resorting to unjust means more frequently than before. This applies, in particular, when there is increased probability that calling to account can be evaded.

Today a substantial proportion of people set excessive material goals for themselves, objectives that cannot be accomplished in general at the present stage of our social development. This is attributable, on the one hand, to the fact that after the liberation of Hungary from fascist rule in 1945, which was the initial period of socialist construction characterized by a large measure of enthusiasm, the complete building of socialism was predicted to be round the corner or at least within comparatively easy reach and socialism which was being built and which was to be accomplished was painted in colours much brighter and richer than those used at present to portray it. In other words, *our demands were dimensioned to be very much in excess of our potentials*. On the other hand, in recent years there has been a considerable increase in the number of people who, as a result of more intensive tourism and our broadening economic and cultural relations with the capitalist countries, tend to focus their attention first of all on the standards of the material and technological development of the states they have visited and come to know and this is the level from which they pose their demands to be met by socialist social conditions. And pursuing excessive material goals, especially under our difficult economic conditions of today, stimulates many people to satisfy their demands in a manner running counter to the law.

The economic policy that has been pursued in recent years and which has "opened the gates to the capitalist countries" and as such it wishes to provide for an ever wider scope for individual initiatives and individual enterprising approach renders several principles that have been emphasized and believed to be socialist ones quite dim. They are, for instance the principle of collectivist attitude, the superiority of social property to indivi-



dual property, or the market anarchy of capitalist society being inferior to planned economy — to mention but a few of them. Ferenc Kozma is quite right in stating in his work that has already been quoted "In an effort to promote our ability to see things clearly, to act correctly and to put our ideological conscience back on the right track again we have to re-think *whether or not our concept of the dialectics of the forces of production and the relations of production still correspond to today's reality in the form in which we have been teaching and learning them for several decades.*"<sup>9</sup>

It goes without saying that development renders previous values gradually obsolete and it also paves the way for seeking new values. Once they are found, they are placed into the focus of attention. All this is a natural process and in this context Robert Hoch's conclusion is quite noteworthy. He suggests that "society can only be regarded as having been firmly established in case the received system of values coincides by and large with what is accepted by the individuals and groups of people, or it becomes part and parcel of their system of ethical values and norms."<sup>10</sup>

Justified or not, the criticisms, voiced against the social conditions prevailing in the 1950's and the efforts to find a way out of our present difficult social conditions have been greatly polarizing people's views about socialism, planned economy, the market, capitalism, as well as the desired and unwanted tendencies of our development. *The future image of society has been narrowed down considerably especially in respect of collective forms, and the individualistic approach of "make maximum use of what is offered to you today" is gaining increasing ground.* The tense international situation which is aggravated with the danger of war looming on the horizon largely contributes to the complete loss or dimming of prospects as the case might be. The shadow of the arms race which has been imposed on the world by the leading western powers and its material implications have a very depressive influence to exert on the social life of our age. In the midst of economic, political and ideological uncertainties people accommodate themselves to the idea of individual survival during hard times in very large numbers. The representatives of individual interests and the people professing individualistic, egoistic and selfish views are prevented from satisfying their demands against the law by possible sanctions to be faced and not by the recognition that any breach of law is harmful to society and that it causes damage and sufferings to others.

The very large measure of "privatization" taking place in our society necessarily brings about endeavours advocating a decrease in possible end to centralized power and central ideology. The representatives of these endeavours maintain that prospects extending to the whole society, the central administrative machinery as well as the guiding ideas have become unnecessary and as such they should be replaced by local administration based upon local specificities and by the views elaborated by small groups of people. The advocates of views of this kind have in my view, lunched an offensive on the very foundations of the socialist system even if they are not aware of what they are doing. Opinions of this kind are common mainly to people who, under the pretext of trying to find a way out, engage in a



sort of underrating the national self-esteem instead of creative patriotism and they do so in favour of the highly developed western societies, above all, of the United States of America. At the same time they also reveal nationalism of the belittling type towards the neighbouring socialist countries, first of all towards the Soviet Union — as was very correctly stated by one of the theoretical experts. There seems to be no appropriate intellectual reaction on the part of the competent people to the ideological distortions and their consequences. It is virtually impossible to perform efficient crime prevention activities without firm ideological views of principle and prospects and without consistent endeavours to implement them, since the moulding of the mind and education have a fundamental role to play in crime prevention.

It has been verified by history that considerable development could only be made in countries in which and in historical periods during which there were guiding ideas and there was an organized force which was waging consistent struggle for translating them into practice. Obviously it is no indifferent an issue what ideas come to be predominant. Increased implementation of the socialist ideas which are concentrated around a decrease in social injustices, ensuring human dignity, humanizing social coexistence, democratic government and the administration of affairs can act by themselves against crime and every kind of negative social phenomenon. However, ideas and objectives are not sufficient for performing creative and efficient work. It is also necessary to be more than familiar with the means, methods and organizations necessary for achieving them and for operating them appropriately.

The long term ideology of the further development of our society and outlining them very definitely constitute the basis on which better harmony can be created between the interests of society as a whole and those of the individuals.

Re-thinking of the socialist doctrines that have been professed so far, determination of the means of the development of society and moulding people's minds adequately are processes that obviously take more than 24 hours. Likewise, curbing egoistic endeavours and deviant behaviours also takes a considerable time.

It is obvious from what has been said thus far that if we want to be realistic, we have to reckon with further increase in crime in the near future. But it is equally obvious from the foregoing that *in case we organize our society more adequately and if we consider crime prevention a task to be accomplished not only by the organs which are assigned the duty of combating crime and the administration of justice, if we endeavour to increasingly ensure collective and individual interests on the basis of socialist democracy, and work performed properly is given appropriate recognition, if calling to (criminal) account is made unavoidable and social injustices are reduced in harmony with the possibilities, then we shall be in a position to offer again a clear prospect for our social development and it will also bring the rising trend of crime to a halt to be followed eventually by a decreasing tendency.*

#### 4. Legal Regulation

Recognition of the necessity of crime prevention over a broad range holds out the hope that in addition to words, recognition and estimation of the magnitude of the issue effective measures will also be taken to prevent crime.

There are different views as to the forms and organizational framework in which intensive crime prevention activities should be launched or carried on as the case might be. On the basis of extensive debates held in 1984 the concept that the tasks ahead of crime prevention, the related means and organizational forms should be contained by legal provisions of the highest level has become fairly general. Several people are of the opinion that high level legislation should take the form of a resolution to be passed by the Council of Ministers, while others suggest that a resolution to be passed by the Presidential Council would be even wiser. In the course of these debates it was impossible to identify the importance of the level at which the resolution should be made with adequate accuracy. But the case is quite different today when the issue is seen quite clearly. It is generally accepted that *the present social conditions as well as people's awareness of and mood in connection with crime and the deterioration of public security call for legal provisions of the highest level*. By making legislation of this kind the leaders of the country would express, among other things, that they are completely determined to wage a relentless struggle against social injustices and that they attach great importance to securing the citizens' quiet and overall good feeling. In any case crime prevention is a task to be accomplished to a very large extent by the government; but there is more than that to it, because all the social organizations and all citizens must join in the effort. That is why it is extremely important that a body the members of which have been elected by the people or an organ representing it should make a resolution on crime prevention, and this job should not be assigned to an organ entrusted to perform the work of execution. In this manner implementation of the resolution would be obligatory for everyone and for every organ equally but obviously not to the same extent.

#### 5. Classification into the Appropriate Category

The question of the category into which crime prevention should be classified occupies a central position in the set of the organizational problems of prevention; in other words, the point at issue is the organ or authority which should be made responsible for crime prevention. It emerged from the relevant debates as a general opinion that a central organ of nationwide authority should be set up straightaway to be entrusted with the job of designing, organizing and coordinating all the state and social activities that are concerned with crime prevention. In addition, the national organ is to be given the following tasks to accomplish:

1. It should regularly examine and evaluate the situation of crime and define the most important tasks next in line for prevention in cooperation



with state and social organs of nationwide authority and fighting crime and other types of deviant behaviours.

2. It should guide and offer advice to the local (city and county) committees on crime prevention which are existing already and mushrooming all over Hungary.

The organs of crime prevention and the measures proposed to be taken to promote prevention obviously serve not only for the prevention of crime as such and in general, but also for the prevention of other deviant behaviours. Crime prevention that is translated into practice as part and parcel of the social policy pursued necessitates harmonious cooperation within the whole system of organizations. The organs of crime prevention to be set up are not designed to participate in this cooperation activity as professional (health, educational, and so on) administrative units, but as organs promoting the administrative organizations to work more efficiently in performing their coordinating and control functions, voicing demands and making available the information in their possession.

The task of recognizing the changes taking place in the tendency, structure, underlying causes and prevention possibilities of crime and of directing crime fighting in the knowledge of the above on the theoretical, organizational and practical areas by relying on the results achieved by science is also to be assigned to the organs of prevention.

So far as the category into which crime prevention is to be classified from an organizational point of view there are three solutions adopted in the socialist countries. In the Soviet Union, for the direction and coordination of instance, crime prevention activities are delegated to be under the authority of social organizations named Social Basis for Safeguarding Order. They operate under the supervision of the regional party organization. In Czechoslovakia, Poland and Rumania, the job of directing and coordinating crime prevention is assigned primarily to the prosecutors' Offices.<sup>11</sup>

In the German Democratic Republic, crime prevention is the responsibility of the organs of the state and municipal councils. They invite other state and social organs to participate in the work of accomplishing crime prevention tasks.

As can be seen from the above, crime prevention organs are generally attached to the prosecutors' offices. It is quite reasonable a method for while performing its general supervisory duties the prosecutor's office can act as part of the authorities in relation to every state and social organ in an effort to organize crime fighting as effectively as possible. In spite of this, however, I do not consider it an example to follow because crime prevention calls, in the first place, for administrative activities. It is not wise for the prosecutor's office to embark on performing quiding, coordinating, valuating and analysing types tasks. It is more advisable to remain to be a supervisory body and confine its activities to general supervisory work. After cosidering the problem several times in appropriate depth I am of the opinion that the central and local organs of crime prevention must be attached to the machinery of state administration, an institution which



is in charge of a complexity of activities including those relating to social educational, health and economic affairs, housing and local planning. In other words, I consider, in the final resort, the example of the German Democratic Republic to be followed. I use the term; in the final resort, because under the conditions prevailing in Hungary at present I do not think it wise to extend the range of authority of the municipal councils to cover crime prevention as well. On the other hand, I completely approve of the idea that the committees in charge of crime prevention should be brought under the supervision of the organs of state administration (government, municipal councils) straightaway. For the time being these committees could operate as social organs, but since they are designed to ensure the best possible accomplishment of the tasks of state administration, it would be quite reasonable to place them under state guidance as long as an adequate position is found for them in the network of state administration. The position that the Committees (or Councils) on Crime Prevention to act as (central or local) social organs should operate under the guidance of the state was generally accepted in the course of the debates on the issue. The Preparatory Committees for Entrance to Higher Education, organs which perform their special educational activities under the direction of the Ministry of Culture, are par excellence examples of social organs performing state duties and operating more than favourably under the guidance of the state. However, considering the fact that crime prevention is a highly diverse task (with educational, health, family care and several other implications), it is beyond any doubt that supervision to be exercised by the government and the local municipal councils can be the most suitable means of implementing state guidance. Likewise, it is again the government and the municipalities that can be expected, first of all, to accomplish tasks that appear to be expedient. This is the manner in which it can be achieved most favourably that the obligations coinciding with crime prevention are observed and made to be observed adequately.

Let me list another major argument in favour of the idea that the provisions of the law designed to prevent crime should take the form of a resolution to be passed by the supreme authority of Hungary, the Presidential Council and that the Committees on Crime Prevention, bodies to be set up at a later date, should operate under the supervision of the government or the local municipal councils. In 1976, a resolution was passed by the Council of Ministers (No. 2015/1976/IV. 17/MT) which ruled that an Inter-Ministries Committee be set up and operate under the direction of the Council of Ministers in order to improve public order and public security. The resolution was passed in the wake of the very correct criminal policy endeavour which was irradiated from the resolutions made by the Presidential Council in 1973. (No. 14/1973 NET) on the guidelines of legal policies. What inspired these resolutions was not sheer necessity but science. It is still to be identified why the resolution passed by the Council of Ministers has not been implemented to the present day. Today, however, when one of the priority items on the agenda is to prevent a rise in crime and the deterioration of public security, in other words, what we are actual-



ly involved is an emergency situation, the approach formulated and political position taken a decade earlier can be an important guidance. It is, therefore, quite reasonable that the resolution made by the Presidential Council should pave the way for and underline the importance of intensifying the struggle against crime.

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It is quite obvious from the ideas discussed in the paper that crime prevention is very closely linked with the present situation of society and the tendencies of its further development. There can be no doubt about it that a decrease in crime, especially in the long run, is inseparable from a well-organized social system which has appropriately established and definite prospects and which is free from accumulated injustices and tensions, besides, it is also closely related to the rational ideological and political outlook of the citizens. I believe that we can reach this stage in the shortest possible time in case we embark on *studying the regularities and issues of both past and present without any prejudices and formulate the conclusions we are about to draw without any unnecessary adornments. This is the only way in which we can be true Marxists, because in their time the classics of Marxism also acted in this manner.*

So far as the issue of formulating the regularities and issues is concerned it must be repeatedly underlined that *criminology must formulate its own theorems on two separate planes*. One of them is the level of pure theory, in other words, the plane of the long term occurrence of regularities.<sup>12</sup>

The other one is the short term plane, or the level of today, which contains the major issues that can be implemented at the moment because the necessary conditions for translating them into practice either exist or they can be created in the not too distant future. In the field of crime prevention one of the short term issues of the above kind is making legislation of the highest level to be followed by the establishment of both the central and local coordinating organs at the earliest possible date in an attempt to get the current and possible measures of crime prevention implemented without the slightest delay.

#### FOOTNOTES

<sup>1</sup> Directives of the Hungarian Socialist Worker's Party

<sup>2</sup> V. N. Kudryavtzev and V. I. Remenev: *Izucheniye dinamikiy pravonarusheniy i yeyo pritchini* (Studying the Dynamism of the Breaches of Law and Their Underlying Reasons) *Sovietskoye gosudarstvo i pravo*. 1984. No. 8. p. 20.)

<sup>3</sup> V. I. Lenin: *Complete Works*, Vol. 29. p. 394. Ruddian edition.)

<sup>4</sup> F. Kozma: *Egyén, vállalat, állam* (The Individual, the Enterprise, the State). Kosuth Publishing House, Budapest, 1984.

<sup>5</sup> *Felelősség és szankció a jogban*. (Responsibility and Sanctions in the Law. A publication issued by the Faculty of Law and Political Science of Eötvös University, Budapest, Közgazdasági és Jogi Könyvkiadó (Economic and Legal Publishing House) Budapest, 1980.)

<sup>6</sup> *Jogi Tudósító* (Legal Information Bulletin) Hungarian News Agency MTI Volume 15. November 1984.

<sup>7</sup> Government of Japan. Summary of the White Papers on Crime, 1983. Ministry of Justice.

<sup>8</sup> L. Bognár: A fejlődés ára (The Price of Development) Közgazdasági és Jogi Könyvkiadó, Budapest, 1983.

<sup>9</sup> Op. cit. p. 26.

<sup>10</sup> Gondolatok szocialista értékrendszerünkről (Thoughts of Our Socialist Value System), Társadalmi Szemle (Social Review), 1982. Issue No. 11. p. 15.

<sup>11</sup> S. Nyiri, Hungary's Deputy Chief Prosecutor, Ügyészségi Értesítő (Prosecutors' Gazette/Issur No.2. 1983 and Issue No.4. 1984.

<sup>12</sup> A bűnmegelőzésről I – II. (On Crime Prevention Vol. I. and II.), a publication by the Hungarian Ministry of Justice, 1984.

## DIE VORBEUGUNG DER KRIMINALITÄT UND DIE REALITÄTEN

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Obwohl sich die Kriminalität in den letzten Jahren in Ungarn bedeutend steigerte, stellte diese negative Erscheinung doch nicht die Idee der Kriminalvorbeugung in den Mittelpunkt des gegen die Kriminalität geführten Kampfes, sondern die Entwicklung der Kriminologie. Die Steigerung der Kriminalität betreibt natürlich die Rechtsregelung der wirksamen Kriminalvorbeugung und deren Organisationsausbau. Mit Rücksicht auf die schwere Wirtschaftslage des Landes, können wir die Massnahmen der Kriminalvorbeugung auch in solcher Weise gruppieren, ob sie einen bedeutenden materiellen Aufwand erfordern, oder nicht.

Diejenigen grundlegenden kriminalvorbeugenden Massnahmen, die in Interesse der Verbesserung der Soziallage der kinderreichen Familien, oder zwecks intensiverer Schulung, oder der günstigeren Ausnützung der Mussezeit angestellt werden, verlangen notwendigerweise bedeutende, materielle Mittel. Diese Anforderungen sind teils durch gewisse sozialpolitische Unterstützungen auch heute zu befriedigen, doch ihre radikale Lösung ist nur durch die Steigerung der Produktivität möglich.

Um die Kriminalvorbeugung wirkungsvoller zu gestalten, gibt es heute schon mehr Chancen, mittels besserer Organisation der Arbeit, Steigerung der Verantwortlichkeit, sowie in gute Richtung durchgeführte Veränderung des Einzel- sowie Gesellschaftsbewusstseins.

Diese, sich in Vorbereitung findende Rechtsregel der Kriminalvorbeugung muss die Wichtigkeit der Kriminalvorbeugung und ihre Grundprinzipien bestimmen und das aktuelle Handlungsprogramm soll von der zustandekommenden Organisation der Kriminalvorbeugung je eher entworfen werden.

## ПРЕДУПРЕЖДЕНИЕ ПРЕСТУПНОСТИ И РЕАЛЬНОСТИ

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Несмотря на то, что преступность в Венгрии за последние годы значительно возросла, идея предупреждения преступности оказалась в центре борьбы против преступности не вследствие такого отрицательного явления, а в результате развития криминологии. Естественно, рост преступности ускоряет юридическое регулирование предупреждения преступности и его институциональную организацию. Ввиду тяжелого экономического положения страны меры, принимаемые в интересах предупреждения, можно группировать в зависимости от того, требуют ли они значительных материальных затрат или нет.



Некоторые основные меры по предупреждению преступности, принимаемые в интересах улучшения социального положения многодетных семей, более интенсивного школьного обучения или же для улучшения условий проведения досуга, естественно требуют более значительных материальных средств. Подобные потребности при некоторой социально-политической поддержке частично могут быть удовлетворены и сегодня, но их координальное решение возможно лишь с повышением производительности труда.

В настоящее время уже имеется больше возможностей, чем раньше для повышения эффективности путем предупреждения преступности, лучшей организации работы, повышения ответственности, изменения индивидуального и общественного сознания в правильном направлении.

Готовящаяся к выходу правовая норма о предупреждении преступности должна определить важность и принципы предупреждения, а создаваемая организация предупреждения должна как можно скорее разработать программу текущих мер.